

INTERIM JOINT COMMITTEE ON EDUCATION

Minutes of the 3rd Meeting of the 2002 Interim

October 7, 2002

The 3rd meeting of the Interim Joint Committee on Education was held on Monday, October 7, 2002, at 1:00 PM, in Room 149 of the Capitol Annex. Representative Frank Rasche, Presiding Co-Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Lindy Casebier, Co-Chair; Representative Frank Rasche, Co-Chair; Senators Walter Blevins, Brett Guthrie, Ray Jones II, Alice Kerr, Vernie McGaha, Gerald Neal, R.J. Palmer II, Dan Seum, Robert Stivers, Johnny Ray Turner, Jack Westwood, and Ed Worley; Representatives Larry Belcher, Buddy Buckingham, Mike Cherry, Jack Coleman, Hubert Collins, Barbara White Colter, Jon Draud, Gippy Graham, Mary Lou Marzian, Reginald Meeks, Harry Moberly, Russ Mobley, Tom Riner, Charles Siler, Arnold Simpson, Dottie Sims, Kathy Stein, Gary Tapp, Jim Thompson, Mark Treesh, and Charles Walton.

Guests: Barbara P. Cook, Dennis Taulbee, Council on Postsecondary Education; Diana L. Barber, Kentucky Higher Education Assistance Authority; Clyde Caudill, Jefferson County Public Schools & Kentucky Association of School Superintendents; Cindy Heine, Prichard Committee; Jo Carole Ellis, Kentucky Affordable Prepaid Tuition; Mike Ridenour, Lexington Chamber of Commerce; James Carreer; Wendy Wheeler-Mullins, Melanie Tyner-Wilson, Coalition for Reform in Special Education Services.

LRC Staff: Audrey Carr, Ethel Alston, Jonathan Lowe, Kelley McQuerry, and Lisa Moore.

A motion was made to approve the minutes of the September 9, 2002 meeting by Representative Thompson and seconded by Representative Belcher. The motion was approved by voice vote.

Senator Westwood gave a brief report on the Subcommittee for Postsecondary Education. The subcommittee heard a status report on adult education and literacy in Kentucky, and was updated on the implementation of the reforms that have been put in place since the passage of Senate Bill 1 in the session of 2000. Senator Westwood said the subcommittee heard from Dr. Sue Moore, Interim President, Council on Postsecondary Education (CPE), on the collaborative effort between the CPE and the

Workforce Development Cabinet (WDC) to provide adult education services in Kentucky. He said the subcommittee heard from Dr. Cheryl King, Commissioner, Department for Adult Education and Literacy, and Vice President for Adult Education, Council for Postsecondary Education, and Mr. Reecie Stagnolia, Deputy Commissioner, Department for Adult Education and Literacy.

Representative Thompson reported on the Subcommittee on the Teaching Profession. The subcommittee has been focusing on the Kentucky Principal and Kentucky Teacher Intern Programs and heard from Dr. Phillip Rogers, Educational Professional Standards Board (EPSB) who discussed the results from the survey of the Educator Preparation Study for public institutions. He said the subcommittee heard from Dr. Verna J. Lowe, Chair, Education Department, Asbury College, on the involvement of the independent colleges and universities. He also said the subcommittee heard from Dr. Dan Branham, Dean of the College of Education, Morehead State University; Dr. M. Mark Wasicsko, Provost and Vice President of Academic Affairs, Eastern Kentucky University; Dr. James Gress, Dean, College of Education, Dr. Ken Carter, Retired Professor, Mrs. Wanda Griffith, Director of Student Services, College of Education, Northern Kentucky University; and Dr. Barbara G. Burch, Provost and Vice President for Academic Affairs, Dr. Richard Roberts, Professor, College of Education and Behavioral Sciences, Western Kentucky University, who reported on teacher intern preparation programs.

Senator McGaha reported on the Subcommittee for Vocational Education. He discussed the visits on September 10, 2002 to the Shelby County Area Technology Center and the Franklin County Career Technical Center. He said the subcommittee heard from Mr. Wendell Cave, Staff Assistant, EPSB, who discussed the study of the teaching standards for vocational teachers as required by House Bill 185. Mr. Cave said the committee is meeting and recommendations will be ready for EPSB in January 2003, and will become effective July 1, 2003. The subcommittee heard from Dr. Keith Bird, Chancellor, Kentucky Community and Technical College System (KCTCS), who explained the transitioning for secondary career and technical education students as they enter into KCTCS, and the dual enrollment program that is currently serving over 2,000 students in Kentucky. He said Mr. Gene Wilhoit, Commissioner, Kentucky Department of Education, gave specific recommendations to the committee that will be included in the study to be reported next year. He also said there will be an update from the Department for Technical Education next week.

Representative Rasche introduced Diane Barber and Michael Morgan from the Kentucky Higher Education Assistance Authority (KHEAA) to review Administrative Regulations 11 KAR 3:100, 11 KAR 5:001, 11 KAR 5:034, and 11 KAR 5:160. Ms. Barber said 11 KAR 3:100 deals with the administrative wage garnishment program. Statistics are used from the United States Department of Labor and the latest available poverty guidelines from the federal government. KHEAA feels the standards are

reasonable in determining extreme financial hardships and did not make a change as suggested from a student loan borrower. Ms. Barber said 11 KAR 5:001 defines terms regarding the Kentucky Tuition Grant Program and the College Access Program (CAP). The amendment redefines “academic term” to include the summer session at postsecondary institutions after 2004, and redefines “eligible program of study” to cover qualified students pursuing programs designated as an equivalent undergraduate program of study. Ms. Barber said 11 KAR 5:034 deals with CAP grant student eligibility and deletes a requirement that a student enrolled as a part-time student at an educational institution using a quarter-hour system must be enrolled part-time in two quarters to be the equivalent of a student enrolled part-time in a single semester at an educational institution using a semester system. It added the requirement that in order to qualify for a College Access Program grant, a student shall have received a CAP grant in the preceding year. Ms. Barber said 11 KAR 5:160 deals with disbursement procedures and KHEAA grant programs and will permit more efficient allocation of grant funds and greater flexibility to the recipients and educational institutions.

A motion was made to accept the administrative regulations by Representative Collins and seconded by Representative Guthrie. The motion was approved by voice vote.

Representative Rasche introduced Mr. Dennis Taulbee, General Counsel, Council on Postsecondary Education (CPE) to review Administrative Regulation 13 KAR 2:090. This regulation in accordance with 2002 House Bill 59 includes provisions on the eligibility of students in military families who maintain Kentucky as a home of record while on active duty out-of-state to receive base scholarships and supplemental awards. Mr. Taulbee also said that an academic program shall be designated as an equivalent undergraduate program of study eligible for a Kentucky Educational Excellence Scholarship (KEES) award if the student in the program of study has not received eight (8) semesters of a KEES award, is classified by an institution as a graduate or professional student, and is enrolled in one of the following academic programs: Pharmacy D; the optometry or veterinary medicine program at an institution which is part of the Kentucky Contract Spaces Program; or other programs designated by CPE. Under these provisions, the student may not have earned a baccalaureate degree.

A motion was made to accept the administrative regulation by Representative Collins and seconded by Representative Treesh. The motion was approved by voice vote.

Representative Rasche introduced Ms. Jo Carole Ellis, Executive Director, Kentucky Affordable Prepaid Tuition (KAPT) who explained administrative regulations 20 KAR 2:010, 20 KAR 2:040, 20 KAR 2:050, 20 KAR 2:060, 20 KAR 2:080, 20 KAR 2:090, and 20 KAR 2:100. She said the administrative regulation changes were made as a result of statute changes during the 2002 legislative session primarily involving

definitions and cleaning up the administrative regulations to correspond to federal changes.

A motion was made to accept the administrative regulations by Representative Collins and seconded by Senator Neal. The motion was approved by voice vote.

Representative Moberly presented information from the Education Assessment and Accountability Review Subcommittee (EAARS) meeting on September 20, 2002. He said members of the Interim Joint Committee on Education were invited and approved to attend the last EAARS meeting specifically to hear discussion about renewal of the Commonwealth Assessment Testing System (CATS) contract through CTB/McGraw-Hill.

Representative Moberly said EAARS is also spending a lot of time on oversight procedures for the Office of Education Accountability (OEA) such as the annual report and the yearly financial report. The EAARS committee has also begun the process of soliciting an external validation of CATS.

Representative Moberly said that the Kentucky Department of Education (KDE) issued a contract through the Finance and Administration Cabinet to CTB/McGraw-Hill to administer the CATS, which was awarded in September 1998 and ended September 30, 2002. He said that CTB/McGraw-Hill was awarded the contract as the prime vendor who chose to use two subcontractors, Data Recognition Corporation (DRC) and West Ed Laboratories. Representative Moberly said that in May 2002, the Finance and Administration Cabinet issued a renewal of the contract for a four year term effective October 2002 with the concurrence of the Department of Education. He said in July 2002, CTB/McGraw-Hill presented KDE with the price of approximately 45 million dollars for the next four years. The price has since been reduced to \$39,950,000, and there is a 30-day cancellation provision. He said that adjustments to the contract are anticipated to comply with the "No Child Left Behind" implementation.

Representative Moberly said there was discussion pertaining to the dispute between CTB/McGraw-Hill and the principal subcontractor DRC. He said KDE assured subcommittee members that it felt comfortable that CTB/McGraw-Hill could continue the good performance without the subcontractor. Representative Moberly said Commissioner Gene Wilhoit, KDE, said the only legal commitment has been with CTB/McGraw-Hill and not with any of the previous subcontractors. The KDE wants CTB/McGraw-Hill to begin to use image scoring which will expedite the scoring process on the contract.

Representative Moberly said members were given a hand-out that stated that a contract renewal including DRC would be cheaper than leaving it out. He said KDE was in the best position to judge the need for DRC's inclusion and feels Commissioner

Wilhoit and staff are on the right track by renewing only with CTB/McGraw-Hill, and this appears to be the wisest choice for the state of Kentucky. Representative Moberly said Commissioner Wilhoit could answer any more specific questions from committee members about the contract renewal issue.

Commissioner Wilhoit and Ms. Helen Mountjoy, Chair, Kentucky Board of Education, presented a report of results of the 2000-2002 accountability cycle of the Commonwealth Accountability Testing System (CATS). Ms. Mountjoy said Kentucky has passed another milestone in proficiency with the release of the CATS scores this year. She said in 1990, the General Assembly charted a new course for education in Kentucky by creating a system which is based on high standards of achievement. The legislature devised methods for measuring how well schools were progressing towards helping students to meet the high standards, and also developed a plan which offered rewards or assistance for schools, depending upon the results. She said this is a system where results matter, and in which the focus is kept on student learning and student achievement.

Ms. Mountjoy said in 1996, the General Assembly created a Task Force on Public Education to conduct a review of all work that had been completed in Kentucky schools over the previous six years, and in this in-depth review there was a full-scale external review of the assessment system by national assessment experts. She said this work and all following discussion led the General Assembly to pass House Bill 53 in 1998, which created the CATS. She said the most unique element of that particular legislation was the creation of several different advisory groups to work with the KDE and the Kentucky Board of Education (KBE) in matters relating to assessment and accountability. Ms. Mountjoy said each entity has offered advice and guidance, and has certainly limited to a great degree any chance for unanticipated or unintentional consequences.

Ms. Mountjoy said the first advisory group was the National Technical Advisory Panel on Assessment and Accountability (NTAPAA) made up of testing experts from all over the country. She said this group has ensured that Kentucky has in place instruments that are valid and reliable, helped to determine measures by which other researchers can conduct tests to make sure this is the case, and gave Kentucky advice on everything being done with regard to the system. She said the membership of this group has been very consistent, with no members dropping out in a four year period.

Ms. Mountjoy said Kentucky has its own group of experts as well. She said the School Curriculum Assessment and Accountability Council (SCAAC) is made up of Kentucky parents, teachers, principals, district administrators, district assessment coordinators, local school board members, and members of the business community, all of whom are looking to ensure that Kentucky's assessment system makes sense in the real world.

Ms. Mountjoy said advice regarding CATA has been received by KBE from the Office of Education Accountability (OEA), as well as the EAARS subcommittee, established by the Legislative Research Commission (LRC) in response to House Bill 53. She said both these groups have received information from KBE before crucial decisions involving assessment in Kentucky were made.

Ms. Mountjoy said the CATS is a very sophisticated system. She said it includes a norm referenced test, open-response and short answer questions based on Kentucky's core content, writing portfolios, and alternate portfolios for that small percentage of students with special needs who are not pursuing a high school diploma.

Ms. Mountjoy said two things that Kentucky was interested in when CATS was implemented was: 1) reducing the amount of time that would actually be spent on testing; and 2) reducing the amount of time that would be spent on the creation of the writing portfolios. She said another concern was receiving scores back in a timely fashion. She said KBE wanted teachers extensively involved in the development and review of the testing instruments. She said the test needed to be valid and reliable, and work would be completed to add a longitudinal measure.

Ms. Mountjoy said all Kentucky schools have set goals for a period lasting until 2014, when each school is expected to reach proficiency. She said rewards and recognitions are offered to schools both for their standing and for the progress they have made in reaching their final goal of proficiency. She said consequences for schools that get off track include scholastic audits, school improvement funds which can be targeted to the specific needs of individual schools, and the utilization of highly skilled educators. Ms. Mountjoy said the emphasis is placed on changing whatever is happening in the school that is a barrier to student achievement.

Ms. Mountjoy said over 6,200 Kentuckians gave input on the current system. She said non-academic items such as drop-out rates, student retention, attendance, and transition to adult life are also important things that the system concentrates on. She said under the new CATS, a school that achieves a high level of success in its academic index, but which fails to reduce the drop-out rate, and fails to reduce the percentage of its students who score in the lowest achievement category, are not eligible for cash prizes. She said every child in the Kentucky school system is to receive an adequate and appropriate education.

Ms. Mountjoy said new performance indicators were set because of the implementation of the vastly different test under CATS. She said the NTAPAA created three different methodologies which set the scores to determine whether performance was novice, apprentice, proficient, or distinguished.

Commissioner Wilhoit said that the results of the most recent CATS cycle were released on September 19, 2002. He said that this is the first time that the schools will have new trendlines against the base scores that were set in 1999-2000. He said that every school has a growth chart from those base scores that will set them toward the goal of proficiency by the 2014 timeline. He said that all schools already have reported to them an actual score for the 2002 line that moves from the baseline. He said this has allowed the creation of an environment in the state that is much more productive than it was in the past. He said the changes that were made by the 1998 General Assembly and the results of the work that was done are now in effect. Schools are reporting that there is a more comfortable feeling with the new system. He said there is predictability in the new system to tell schools where they need to be, whereas under the old system the goal line had to be adjusted after testing. He said that this year disaggregated information is being reported to the schools as a result of the passage of SB 168 (2002), which required the department to break out information in more detail than in the past. He said that each of the schools has received information that breaks student performance out by subpopulations of race, gender, socio-economic status, and disability. He said that information is going to be used as a trigger for the work in the schools.

Commissioner Wilhoit said the new accountability cycle is very positive in terms of providing the type of guidance and direction to help schools make decisions. He said that the results are provided by year in terms of index score and the amount of change. He said that the baseline scores in 1999-2000 in comparison to the two-year results we have now, show growth, though the relative performance of students in mathematics to other content areas should be of some concern.

Commissioner Wilhoit said as you move to the middle and high school levels there is less growth. Sixty-two percent of the elementary schools met or exceed the goals, while at the high school level less than 44 percent met or exceeded the goals. He said the high school level is not sustaining the percentage of schools meeting goals as compared to the elementary level. He said that the positive news is that 554 schools have met or exceeded their goals for this biennium, and that assuming there is continued growth, they will meet the proficiency goal by 2014. He said that 90 schools are in one of three phases of assistance, and that there needs to be particular concern for the 30 Level Three assistance schools. He said that according to law and regulations these schools will be audited and highly skilled educators will be placed in those schools. He said the middle level schools in assistance will be required to have reviews conducted by the department administered staff in conjunction with districts. He said that district will have responsibilities for conducting similar activities for the Level One assistance schools.

Mr. Wilhoit said that for the first time in the history of the accountability system there are six schools, five elementary and one middle school, that have reached the proficiency goal. He said that the Level Three assistance schools are a concern. The schools have very detailed information about school performance not only from the state

but also from the district, as well as the state-wide performance in each of the content areas. He said that all the information is broken down by subpopulations. He said it will provide them the type of guidance that is needed to make decisions concerning improving student performance. He said the most valuable work will be done at the school level and the department is providing as much assistance as possible.

Representative Collins asked if there were any recommendations for decreasing the differences in the results for the middle schools and elementary schools. Commissioner Wilhoit said there are recommendations, but a lot of it depends upon the schools' readiness to accept the recommendations. He said the state board and KDE will be giving directives to the middle and high school levels to get them into compliance.

Representative Tapp asked if data was available for Assistance Level Two and Three schools from the last cycle. Commissioner Wilhoit said he could get the information, but there is a general observation that those schools who were assisted moved up.

Representative Meeks said it seems most schools progress one to three points per year and wondered if schools can meet proficiency by 2014 at that rate. He also asked what the plan was for keeping proficient schools from slipping. Commissioner Wilhoit said there has been double digit gains in some schools, while other schools have seen virtually no gain. He said each school needs to determine their own pattern for growth. He wants to figure out why some school faculties figure out what to do, and move ahead aggressively, while other schools are not able to do so. Commissioner Wilhoit said problem areas have been identified for schools, but implementing change is the responsibility of the school. He also said that in order to keep schools at a proficient rating, superintendents will be asked to name a contact person within each school who will attend training along with personnel of KDE and will ensure that an identified plan is followed for that particular school.

Representative Colter asked if there is an impact on school performance when teachers are not specialized in the areas they teach. Commissioner Wilhoit said a survey was completed that looked at this issue several years ago, and it was determined that this is one factor, but not the sole factor.

Senator Westwood asked why the number of students that test in the 12th grade is 14,105 fewer people who tested in the 9th grade. He said the drop out rate is five percent, so where are these people? Commissioner Wilhoit said the ninth grade cohort is much larger than any other in the system, and the drop-out rate of five percent is annual. Senator Westwood asked about the standard for determining when a school's drop-out rate is too high, thereby making the school ineligible for rewards. Commissioner Wilhoit said the number is 5.3. He said KDE has started a course of reduction from the standard drop-out rate when CATS was implemented. He said certain measurements have to be

put in place to get schools to notice their drop-out rates. Commissioner Wilhoit said some schools have a drop-out rate approaching ten percent, while others have a zero percent drop-out rate. He said the largest group of drop-outs is in the 10th grade. Senator Westwood reiterated that we need to get a grasp on why these students are dropping out and establish successful intervention strategies.

Senator Blevins asked about the cost of the distinguished educator programs. Commissioner Wilhoit said he would get that information to him. Senator Blevins said if the highly skilled educators are making progress with students, monies need to be concentrated in this area to provide more of them to schools. Commissioner Wilhoit said the highly skilled educator program is very expensive, maybe there are other groups of people that could come in to the schools and provide support without the intensiveness and costliness of the highly skilled educator program.

Senator Neal asked if an analysis had been conducted with the disaggregated data for the trends on students who fall behind. He asked if there have been discussions for specific interventions to remediate this problem. Commissioner Wilhoit said many of these students can be identified at the middle school level and even upper elementary levels. Commissioner Wilhoit said once a student gets behind, many schools are incapable of turning the situation around in dramatic ways, so our skill of working with needy students is in much need of refinement. He said some schools are figuring out what to do, and characteristics of those schools have been identified and implemented into the audits and reviews performed in other schools. He said some schools have incorporated a comprehensive learning program across all grade levels and content areas, trained their teachers aggressively in these programs over a period of time, and implemented intensive intervention strategies for students who fall behind, although it may take up to three years for students to see the results of these interventions. These students can be assessed weekly or monthly to monitor progress.

Senator Neal said he has heard numerous complaints from parents. They feel they are not involved early enough when their child begins to experience problems in school. Commissioner Wilhoit said he has observed both parents and educators feeling frustrated with the process. He said we need to find a better way to bring the two groups together. He said many schools have started home visitations as a way to break this barrier. He said this gives the teachers a much better understanding of the home environment the student comes from.

Representative Colter asked if home schooled children were considered drop outs. Commissioner Wilhoit said as long as they are registered with the district in a home school program, they are not considered drop outs.

Representative Collins asked if the driver license issue dealing with high school students and their grades was being enforced. Commissioner Wilhoit said he does not

have enough information to know, but he will find out. Representative Collins said taking away a student's driver license could be helpful in preventing students from dropping out of school.

Representative Rasche introduced Reverend Bob Brown, Mr. Arnold Gaither, and Mr. Porter Peoples from the Fayette County African-American Education Coalition. Mr. Peoples said their organization is a collaboration of agencies and entities across Lexington that believe that all children can be successful in school and in life. He said one goal for the group was to be very vigilant in raising the level of recognition and discussion regarding the academic achievement gap data that has existed in the community for so many years. He said another goal was to get busy mobilizing the majority and minority community to start trying to close the academic achievement gap.

Mr. Peoples said the Fayette County African-American Education Coalition had the opportunity last year to present to a subcommittee on education in response to Senate Bills 132 and 168 at the request of Senators Guthrie, Kerr, and Neal. He said this presentation was to demonstrate the model that Lexington utilizes in order to address the academic achievement gap.

Reverend Brown said they are using sub-group analysis, looking at individual sub-group populations and determining the percent of attainment with regards to proficient and distinguished levels. He said the baseline is 70 percent of white students are at the distinguished and proficient level. He said the African American group is at the 35 percent proficient level.

Reverend Brown said the coalition has set high goals. He said the Fayette County Public School District should be in the top 5 percent in the nation in student achievement for all students with a zero achievement gap, while meeting the challenge of obtaining parity by 2008. He said by 2014 all students should be at 100 percent for proficient and distinguished levels. He said the Achievement and Closing the Gap Community Committee is in the process of developing some very ambitious strategies and initiatives in order to achieve these goals.

Senator Guthrie said he had the privilege of working with the Fayette-County African-American Education Coalition last session on a bill. He congratulated Reverend Brown, Mr. Peoples, and Mr. Gaither on the fine job they are doing in making a difference in their community. He also said the work they did on Senate Bill 132 specifically addressed this achievement gap issue.

Representative Stein congratulated the gentlemen on the fine job they are doing in Fayette County and said they have refused to give up on the cause.

Representative Meeks said this coalition has been so successful partly because of the buy-in they have received from parents and other members of the community. He asked them if they could share specific strategies for other communities to follow. Reverend Brown said their strength has been working through the faith-based community, and they have seen strong leadership from both black and white ministers throughout the local area. He said a strong coalition has been built working through the churches which has also gotten the attention of the parents by encouraging them to get involved in the educational process. Reverend Brown also mentioned the tremendous support given to the coalition from Commissioner Wilhoit and University of Kentucky President Lee Todd. Mr. Peoples said having the model design to share with people in the community, such as the chamber of commerce, helped to communicate the message about the achievement gap and correct misconceptions. Reverend Brown said the business community had never actually seen data figures.

Mr. Gaither shared a PowerPoint presentation with the committee focusing on the updates on progress of the Achievement and Closing the Gap Community Committee. He said in March 2002, the Fayette County Board of Education adopted a proclamation to appoint an Achievement and Closing the Gap Community Committee which is composed of 15 members. He said additional resource people have been appointed to the committee as well. This committee has the basic belief that all children can be successful in school and life.

Mr. Gaither said the committee charge is to identify strategies for closing the achievement gap in the Fayette County Public Schools. He reiterated that the Fayette County Public School District should be in the top five percent in the nation in student achievement for all students with a zero gap. He said the committee will develop a plan that incorporates the identified strategies, to be ready for implementation during the 2002-2003 school year.

Mr. Gaither said the strategies will be measurable and accountable to move the district toward closing the achievement gap. He said the body decided to build a world class system in Fayette County based on best practices identified locally, regionally, and nationally. He said that in order to accomplish this weighty goal, it will take a community effort, focusing on the slogan, "One Voice, One Community...For the Good of Our Children".

Mr. Gaither said the committee held its first meeting on April 22, 2002. He said there were seven subcommittees appointed including: 1) World-Class, Best Practices/Accountability; 2) School-Based Decision Making Council; 3) Leadership; 4) Teachers; 5) Parental Involvement; 6) Exceptional and Diverse Learners; and 7) Early Childhood Development. He said the committee is not looking to develop programs, but to create systematic change. He said the committee wants to identify strategies that will change the overall management structure and culture of schools in the district. He said

the Fayette County School District has a flat organizational structure, and therefore no one is ever accountable when problems arise.

Mr. Gaither said that from May through September the committee has worked on a district consolidated plan. He said the committee does not want to get into a push and pull relationship with the board of education or the schools. He said the strategies developed by the committee will be in-line with the district plan.

Mr. Gaither said the committee has looked at Senate Bill 168 which was a significant piece of legislation that he believes put some teeth into the Kentucky Education Reform Act (KERA) and education reform. He said other updates from the committee include: discussions on school choice, review of KDE student achievement performance standards, assessment of student achievement data, receiving contributions from stakeholders, scheduling Gerry Anderson who is the author of the book, "Closing the Gap, No Excuses" to make presentations on October 24 & 25, 2002, and they continued to give progress reports from the subcommittees.

Mr. Gaither said the process flow and timeline include a marketing strategy for communications to the community; the subcommittees setting goals for the full committee; review of best practices nationally, statewide, and locally; development of strategies based on world-class accountability standards; creation of a consolidated plan based on successful district programs and the Kentucky Core Content Test (KCCT); delivery of draft to the stakeholders including the superintendent, Commissioner Wilhoit, chamber of commerce, President Lee Todd, and the Equity Council for critique; modification of the draft of strategies; delivery of report to board of education for review; submission of report to mayor, Lexington-Fayette County Urban County Government (LFUCG) Council, parents, and the community; establishment of a leadership implementation team; and quarterly reporting to the board of education.

Ms. Wheeler-Mullins said she is a member of the Coalition for Reform in Special Education Services (CRISES) which is a parent advocacy coalition in Fayette County. She said CRISES is working with the African-American Education Coalition to help close their achievement gaps. She was appreciative that CRISES was included in the Achievement and Closing the Gap Community Committee.

Ms. Wheeler-Mullins said there are huge achievement gaps for special education students in Kentucky. She said often these students encounter barriers to achievement at school which can include negative attitudes and prejudice from some educators in the school system.

Ms. Wheeler-Mullins said prior to 1975, when the Individuals with Disabilities Act was passed, some children with disabilities were not allowed to attend public schools. She said in 1997, Congress added emphasis on educational outcomes for

children with disabilities. The emphasis was placed on shifting from equal access to ensuring that the students were receiving an education that prepared them for higher education or employment.

Ms. Wheeler-Mullins discussed the KCCT data and how it relates to special education students and the achievement gap. She said there is data from 1999-2002, which she distributed in a handout to members, from which it is clear that Kentucky is not narrowing the achievement gap for children with disabilities at a sufficient rate of progress, so that these children can achieve proficiency by 2014. The current level of and/or types of interventions used in our state are not adequate or appropriate to address the educational needs of students with disabilities.

Ms. Wheeler-Mullins asked what is needed in order for all children with disabilities to perform at levels statistically comparable to their non-disabled peers. She said students with disabilities must see achievement gaps closing by significant numbers of points each year in every academic area. She said some areas on our statewide assessments are improving for these students, but minimal numbers are changing and we are not making enough progress for these students to achieve proficiency by 2014.

Ms. Wheeler-Mullins said Fayette County has the second highest population of students with disabilities in the state of Kentucky, with approximately 3,800 students with special needs. She said unfortunately the achievement gap in Fayette County is widening between non-disabled and disabled students. She said teacher and administrator attitudes and expectations need to change in order to make a difference.

Senator Kerr said that the data for Grade 5 and Grade 8, Practical Living/Vocational Studies, showed the gap narrowing significantly and she wondered what implementation strategies were used in those areas. Ms. Wheeler-Mullins did not know because these are statewide numbers.

Senator Guthrie believes that this achievement committee is going to be successful and he hopes other communities will replicate this model in other parts of our state.

Representative Rasche said there are several pieces of legislation that should elevate the awareness of the achievement gap issue. He said the Kentucky Department of Education has started distributing disaggregated data, which is a necessary step to create a change in how Kentucky views its students.

The meeting adjourned at 3:16 p.m.

